

Q. # 955

Doc. No. 219P (46)
Br. Ex. 74

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THE AMERICAN AMBASSADOR IN JAPAN (GREW) TO THE JAPANESE
MINISTER FOR FOREIGN AFFAIRS (HIROTA)

No. 796

TOKYO, September 17, 1937.

EXCELLENCY: I have the honor, by direction of my Government, to address to Your Excellency the following note:

"Since the beginning of the present fighting in China the American Government has received reports of attacks by Japanese armed forces in China upon American nationals and their property, including attacks upon American humanitarian and philanthropic establishments and upon the persons and property of non-combatants generally.

The American Government desires in particular to bring to the attention of the Japanese Government a recent attack on September 12 by Japanese planes on an American missionary hospital in South China, located at Waichow, Kwangtung Province. Information in the possession of the American Government indicates that three Japanese planes flew low three times over the mission compound where two large American flags were flying; that each time the planes dropped bombs all of which exploded seriously injuring personnel of the hospital as well as damaging the hospital and the residence, that there were no anti-aircraft guns at Waichow, and that the mission itself is two miles distant from any Chinese military encampment.

Attack upon non-combatants is prohibited both by long accepted principles and by established rules of international law. Also, attack upon humanitarian establishments, especially those which are lawfully under the flags of countries in no way party to military operations, have no warrant in any system of law or of humane conduct. The American Government, therefore, is impelled, in fulfillment of its obligations toward its nationals and on behalf of those fundamental principles of law and of morality which relate to the immunity of non-combatants and humanitarian establishments, emphatically to voice objection to such attacks and to urge upon the Japanese Government, which the American Government cannot believe approves of such disregard of principles, that effective steps be taken toward averting any further such attacks."

I avail myself (etc.)

JOSEPH C. GREW

Foreign Relations I, pp. 498-499

△

日本駐米大使(ケル) / GREW / ヨリ

日本外務大臣(廣田) 宛

東京ニ於テ 一九三七年九月十七日

第七九六號

閣下 本使、本國政府、回訓ニリ、次項、件ヲ閣下ニ對シ具申ス
ハ、先際ヲ有ス

支那ニ於テ現在、戰亂、當初以來、米國政府、米國人及其
財產ニ對シ在支那日本軍隊ヨリ攻撃ヲ受ケ、且該攻撃ノ内ニ米
國人ヨリテ經營セル、人道的並ニ博愛的諸施設ニ對シ又
一般非戦闘員、身體及財產ニ對シ行ハルモウ包含スルモ
ニ、報告ヲ受ケト屢次ニ及リ

米國政府、特ニ取テ日本政府、注意ヲ若カントス布ラ、
去ル九月十二日、南京廣東省惠心州所在米國ミツミ之病院
ニ對シ行ハル日本飛行機、攻撃ニシテ米國政府、有ス情
報ニヨリ、日本飛行機三機、大型米國國旗ニ流、播揚セウ
シ、該ミツミ敷地上ニ低空飛行ヲ行フト三度毎回爆彈ヲ
投下シ、孰モ爆裂セテ病院内、人員ニ重篤ナル危害ヲ與ヘ
又病院及住宅ニ破壊ヲ加ヘト、惠州ニ高射砲、裝備シテ
カリト、並ニ該ミツミ、支那軍隊陳列、孰シトニミツミ隔
離シアリトヲ表示セリ

非戦闘員ニ對シ攻撃セザルニ認容スルハ原則上及ニ成文
國際法上禁止セラルトコト、又人道的施設、特ニ軍事作
戰ノ外ニ國ノ國旗、下ニアル所、モニ對シセザル攻撃ハ何
等ノ法理系統乃至人道的行為、保護ヲ有セズ

爰於テ米國政府、其國人ニ對シ我務遂行為又非戰
闘員及人道的施設對シ危害防止ニ關ス法の及道德的根本

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事理、爲二敢テ強調、三此種攻撃ニ對テ抗議ヲ表示、且又
 此種ノ常則無視ヲ認容セシム、米國政府、信然能ハル所
 ノ日本政府ニ對シ此上更ニ斯ニ攻撃ヲ回避スル爲ニ有効ノ措置
 ニ出スルニ事ヲ促スト、餘儀ナシ、ト云フ

李使ハ答ニ云々(後文略)

ジョセフ・C・グロウ

(Joseph C. GREW)

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Br. Ex. 75

THE AMERICAN AMBASSADOR IN JAPAN (GREW) TO THE
JAPANESE MINISTER FOR FOREIGN AFFAIRS (HIROTA)

No. 780

TOKYO, September 22, 1937.

Excerpts.

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The American Government objects both to such jeopardizing of lives of its nationals and of non-combatants generally and to the suggestion that its officials and nationals now residing in and around Nanking should withdraw from the areas in which they are lawfully carrying on their legitimate activities.

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In view of the fact that Nanking is the seat of Government in China and that there the American Ambassador and other agencies of the American Government carry on their essential functions, the American Government strongly objects to the creation of a situation in consequence of which the American Ambassador and other agencies of this Government are confronted with the alternative of abandoning their establishments or being exposed to grave hazards.

In the light of the assurances repeatedly given by the Japanese Government that the objectives of Japanese military are limited strictly to Chinese military agencies and establishments and that the Japanese Government has no intention of making non-military property and non-combatants the direct objects of attack, and of the Japanese Government's expression of its desire to respect the embassies, warships and merchant vessels of the Powers at Nanking, the American Government cannot believe that the intimation that the whole Nanking area may be subjected to bombing operations represents the considered intent of the Japanese Government.

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JOSEPH C. GREW

Foreign Relations I, pp. 504-505

60956
219P(47)

△

駐日アメリカ大使(フルー氏) / GREW / より日本外務大臣(廣田氏) へ
第七八。號 抜萃

東京ニテ

一九三七年(昭和十二年)九月二十二日

× × × × ×

米國政府、米國人並ニ一般非戦闘員、生命ヲ危殆ニ陥ラシムルカ
如キ行為及ビ現在南京市内外ニ居住スル米國政府官吏並ニ米國市
民ノ、正当ナル活動ヲ合法的ニ遂行ラントスル地域ヨリヲ場々ベシト、警告
、雙方ニ反對ス。

× × × × ×

南京ハ中國政府ノ所在地ニテ且米國大使並ニ米國政府、他諸機關
其ノ主要ナル業務ヲ遂行ラントスル事實ニ鑑ミ、其ノ廳舎ヲ放棄スルカ、
シラザレバ大ナル危険ニ暴露サルカニ者其、一ツヲ選ツ、要ニ直面
シカヤ事能ハ、發生シ對シ米國政府、強硬反對スルモノナリ。

日本軍ノ目標、中國、軍事機關及ビ其施設ニ局限セシ日本
政府、非軍事的財産及ビ非戦闘員、攻撃ヲ直接ノ目標トス
クヤ企圖ヲ有セト、日本政府ヲ屢次與ヘン保証及ビ南京ニ
於テ列強ノ大使館軍艦商船ヲ尊重セトス日本政府、希望
表明ニ鑑ミ米國政府、南京全地域ヲ爆撃ヲ受ルベシト、通告ヲ日
本政府、思慮ス意圖ヲ示スモノト、信ジ得ズ。

ジョセフ・シー・グリー
/ JOSEPH C. GREW /

外事関係一 ページ
五〇四—五〇五

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60957

MEMORANDUM BY THE CHIEF OF THE DIVISION
OF FAR EASTERN AFFAIRS (HAMILTON) OF A
CONVERSATION WITH THE COUNSELLOR OF THE
JAPANESE EMBASSY (SUMA)

Excerpts

(WASHINGTON,) September 25, 1937

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I referred to the recent Japanese bombing operations at Canton where, according to the reports, some 2,000 non-combatants had been killed. I said that I had noticed a statement in some newspaper to the effect that the Japanese military were very much surprised that reports were being sent from China to the effect that Japanese military operations were resulting in the death of non-combatants. I said that this killing of non-combatants at Canton, at Hankow, at Nanking and at various other places in China could not but create the most deplorable impression in this country and in other countries. . . . I said again that this whole matter of bombing non-combatants was deplorable and was creating a most unfortunate impression.

M(AWXELL) M. H(AMILTON)

Foreign Relations I, pp. 505-506

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Br. Ex. 77

RESOLUTION ADOPTED BY THE LEAGUE OF NATIONS
ADVISORY COMMITTEE ON SEPTEMBER 27, 1937

The Advisory Committee,

Taking into urgent consideration the question of
the aerial bombardment of open towns in China, by Japanese
aircraft,

Expresses its profound distress at the loss of life
caused to innocent civilians, including great numbers of
women and children, as a result of such bombardments.

Declares that no excuse can be made for such acts
which have aroused horror and indignation throughout the
world,

And solemnly condemns them.

Foreign Relations I, p. 506

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一九三七年／昭和十二年／九月二十六日 國際聯盟諮問委員
會決議
諮問委員會

日本空軍ニ依ル支那非武装都市空爆問題 頗る緊急
考慮ヲ加ヘタル結果
斯カル爆撃ヨリ多數ノ婦人幼少者ヲ含ム無辜ノ市民ノ蒙
ル生命ノ喪失ニ深甚ナル悲嘆ノ意ヲ表明スル共ニ、全世界
通ジ恐怖ト憤怒ノ念ヲ喚起スル行為ニ對シテハ如何
ナル陳弁モ為ラズ得ラズト宣言シ
且ツ嚴肅ニ之ヲ罪アリト宣ス

外交關係 工、五、六頁

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Br. Ex. 78

PRUSS RELEASE ISSUED BY THE DEPARTMENT OF STATE
ON SEPTEMBER 28, 1937

The Department of State has been informed by the American Minister to Switzerland of the text of the resolution unanimously adopted on September 27 by the Advisory Committee of the League of Nations on the subject of aerial bombardment by Japanese air forces of open towns in China.

The American Government, as has been set forth to the Japanese Government repeatedly, and especially in this Government's note of September 22, holds the view that any general bombing of an extensive area wherein there resides a large populace engaged in peaceful pursuits is unwarranted and contrary to principles of law and of humanity.

Foreign Relations I, p. 506

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△

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二一九P (五〇)

一九三七年九月二十日、米務省より出せたる新聞発表
米務省、瑞西駐米大使より、支那に於ける若干、無防備
都市、日本空軍に依り爆撃、問題、関し、米陸軍部
告委員会より九月二十七日全會、一紙ヲ採用せし決議、
本文ヲ通報せし。

又米政府、日本政府より、米務省に指摘せし如クシテ、
殊、九月二十二日、米政府、賞書、就、米務省に於ける平和的
職業に従事する市民、多数人口が居住する米範圍、地域
ノ一般爆撃、如何なるモデモ不法ニシ、且、法ト人道ノ原
則ニ反スルモノナルト、見解ヲ有スルモノナル。

外國關係第壹卷 冊子。六頁

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Br. Ex. 79

PRESS RELEASE ISSUED BY THE DEPARTMENT OF STATE
ON JANUARY 31, 1938

Excerpt.

The Department of State on the evening of January 28, 1938, instructed the American Embassy at Tokyo to make oral representations to the Japanese Foreign Office with reference to the incident involving the slapping by a Japanese soldier of Mr. John M. Allison, third secretary of the American Embassy at Nanking, on January 26.

The Department instructed the Embassy at Tokyo orally to communicate the substance of Mr. Allison's telegrams of January 27 and 28 to a high officer of the Japanese Foreign Office and that in so doing there be emphasized that in weighing the gravity of the incident this Government takes into account the fact that the whole incident, including the slapping by a Japanese soldier of a diplomatic representative of the Government, is not an isolated case, but represents but one of and cannot be dissociated from a series of cases of irregular entry of American property and disregard of American rights by Japanese soldiers.

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Foreign Relations I, p. 574

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一九三八年／昭和十三年／二月三日 國務省提供新聞
發表抜萃

國務省は一九三八年／昭和十三年／二月二十八日夜在東京
米大使館に訓令を發し一月二十六日在東京米大使館
三等書記官ジョーン・M・アリス氏 *Mr. John M. Allison*
が日本兵に平手で行なれた事件に關し日本外務省に口
頭を以て抗議申入れをなさうせん。

國務省は一月二十五日及二十八日附アリス氏 *Mr. Allison*
の電報の内容を日本外務省の高級職員に口頭を以て
傳達し同時にこの事件の重大性の検討に當り本政府は
日本兵が本政府の外交代表を平手で行つた如き事件
は孤立した事件ではなからず日本兵が米兵の財産に不法
侵入をなし又日本兵が米兵の權利を無視する譯少。事
件の二に過ぎないものがある。今雖も考へべきものを
いふことを考慮するといふことも強硬に申入るよう
訓令を發せん。

外務關係一。子七四頁

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Br. Ex. 57

ADDRESS DELIVERED BY PRESIDENT ROOSEVELT AT
CHICAGO ON OCTOBER 5, 1937

Excerpt.

.....

The political situation in the world, which of late has been growing progressively worse, is such as to cause grave concern and anxiety to all the peoples and nations who wish to live in peace and amity with their neighbors.

Some 15 years ago the hopes of mankind for a continuing era of international peace were raised to great heights when more than 60 nations solemnly pledged themselves not to resort to arms in furtherance of their national aims and policies. The high aspirations expressed in the Briand-Kellogg Peace Pact and the hopes for peace thus raised have of late given way to a haunting fear of calamity. The present reign of terror and international lawlessness began a few years ago.

It began through unjustified interference in the internal affairs of other nations or the invasion of alien territory in violation of treaties and has now reached a stage where the very foundations of civilization are seriously threatened. The landmarks and traditions which have marked the progress of civilization toward a condition of law, order, and justice are being wiped away.

Without a declaration of war and without warning or justification of any kind, civilians, including women and children, are being ruthlessly murdered with bombs from the air. In times of so-called peace ships are being attacked and sunk by submarines without cause or notice. Nations are fomenting and taking sides in civil warfare in nations that have never done them any harm. Nations claiming freedom for themselves deny it to others.

Innocent peoples and nations are being cruelly sacrificed to a greed for power and supremacy which is devoid of all sense of justice and humane consideration.

To paraphrase a recent author, "perhaps we foresee a time when men, exultant in the technique of homicide, will rage so hotly over the world that every precious thing will be in danger, even book and picture and harmony, every treasure garnered through two millennia, the small, the delicate, the defenseless—all will be lost or wrecked or utterly destroyed."

If these things come to pass in other parts of the world let no one imagine that America will escape, that it may expect mercy, that this Western Hemisphere will not be attacked, and that it will continue tranquilly and peacefully to carry on the ethics and the arts of civilization.

If these days come "there will be no safety by arms, no help from authority, no answer in science. The storm will rage till every flower of culture is trampled and all human beings are leveled in a vast chaos."

If these days are not to come to pass--if we are to have a world in which we can breathe freely and live in amity without fear--the peace-loving nations must make a concerted effort to uphold laws and principles on which alone peace can rest secure.

The peace-loving nations must make a concerted effort in opposition to those violations of treaties and those ignorings of humane instincts which today are creating a state of international anarchy and instability from which there is no escape through mere isolation or neutrality.

Those who cherish their freedom and recognize and respect the equal right of their neighbors to be free and live in peace, must work together for the triumph of law and moral principles in order that peace, justice, and confidence may prevail in the world. There must be a return to a belief in the pledged word, in the value of a signed treaty. There must be recognition of the fact that national morality is as vital as private morality.

A bishop wrote me the other day: "It seems to me that something greatly needs to be said in behalf of ordinary humanity against the present practice of carrying the horrors of war to helpless civilians, especially women and children. It may be that such a protest might be regarded by many, who claim to be realists, as futile, but may it not be that the heart of mankind is so filled with horror at the present needless suffering that that force could be mobilized in sufficient volume to lessen such cruelty in the days ahead? Even though it may take twenty years, which God forbid, for civilization to make effective its corporate protest against this barbarism, surely strong voices may hasten the day."

There is a solidarity and interdependence about the modern world, both technically and morally, which makes it impossible for any nation completely to isolate itself from economic and political upheavals in the rest of the world, especially when such upheavals appear to be spreading and not declining. There can be no stability or peace either within nations or between nations except under laws and moral standards adhered to by all. International anarchy destroys every foundation for peace. It

jeopardizes either the immediate or the future security of every nation, large or small. It is, therefore, a matter of vital interest and concern to the people of the United States that the sanctity of international treaties and the maintenance of international morality be restored.

The overwhelming majority of the peoples and nations of the world today want to live in peace. They seek the removal of barriers against trade. They want to exert themselves in industry in agriculture, and in business, that they may increase their wealth through the production of wealth-producing goods rather than striving to produce military planes and bombs and machine guns and cannon for the destruction of human lives and useful property.

In those nations of the world which seem to be piling armament on armament for purposes of aggression, and those other nations which fear acts of aggression against them and their security, a very high proportion of their national income is being spent directly for armaments. It runs from 30 to as high as 50 percent.

The proportion that we in the United States spend is far less--11 or 12 percent.

How happy we are that the circumstances of the moment permit us to put our money into bridges and boulevards, dams and reforestation, the conservation of our soil, and many other kinds of useful works rather than into huge standing armies and vast supplies of implements of war.

I am compelled and you are compelled, nevertheless, to look ahead. The peace, the freedom, and the security of 90 percent of the population of the world is being jeopardized by the remaining 10 percent, who are threatening a breakdown of all international order and law. Surely the 90 percent who want to live in peace under law and in accordance with moral standards that have received almost universal acceptance through the centuries, can and must find some way to make their will prevail.

The situation is definitely of universal concern. The questions involved relate not merely to violations of specific provisions of particular treaties; they are questions of war and of peace, of international law, and especially of principles of humanity. It is true that they involve definite violations of agreements, and especially of the Covenant of the League of Nations, the Briand-Kellogg Pact, and the Nine Power Treaty. But they also involve problems of world economy, world security, and world humanity.

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It is true that the moral consciousness of the world must recognize the importance of removing injustices and well-founded grievances; but at the same time it must be aroused to the cardinal necessity of honoring sanctity of treaties, of respecting the rights and liberties of others, and of putting an end to acts of international aggression.

It seems to be unfortunately true that the epidemic of world lawlessness is spreading.

When an epidemic of physical disease starts to spread, the community approves and joins in a quarantine of the patients in order to protect the health of the community against the spread of the disease.

It is my determination to pursue a policy of peace and to adopt every practicable measure to avoid involvement in war. It ought to be inconceivable that in this modern era, and in the face of experience, any nation could be so foolish and ruthless as to run the risk of plunging the whole world into war by invading and violating in contravention of solemn treaties the territory of other nations that have done them no real harm and which are too weak to protect themselves adequately. Yet the peace of the world and the welfare and security of every nation is today being threatened by that very thing.

No nation which refuses to exercise forbearance and to respect the freedom and rights of others can long remain strong and retain the confidence and respect of other nations. No nation ever loses its dignity or good standing by conciliating its differences and by exercising great patience with and consideration for the rights of other nations.

War is a contagion, whether it be declared or undeclared. It can engulf states and peoples remote from the original scene of hostilities. We are determined to keep out of war, yet we cannot insure ourselves against the disastrous effects of war and the dangers of involvement. We are adopting such measures as will minimize our risk of involvement, but we cannot have complete protection in a world of disorder in which confidence and security have broken down.

If civilization is to survive the principles of the Prince of Peace must be restored. Shattered trust between nations must be revived.

Most important of all, the will for peace on the part of peace-loving nations must express itself to the end that nations that may be tempted to violate their agreements and the rights of others will desist from such a cause. There must be positive endeavors to preserve peace.

America hates war. America hopes for peace. Therefore, America actively engages in the search for peace.

Foreign Relations, I, pp.380-3
(Beginning 379)

一九三七年十月五日 icago ニ於テ ルーズヴェルト大統領、行ハ

演説抜萃

219p (37)

最近漸次惡化シテアリシ世界、政治的状況ハ今ヤ隣國民ト平和ト親睦ニ生キト欲スル凡テノ國民ト國家ニ對シテ重大ナル心慮ト不安トヲ惹起スルニ至ツテ居ル。

約十五年前永續スル國際的平和時代ヲ求メトスル人類、希望ハ六十餘國ガ國家、目的及政策ヲ助長セザル為嚴肅ニ干戈ニ訴ヘザラント誓約セシ時ニ偉大ナル高度ニ高メシタ。

フリアン・ケロク平和條約ニ表現サレシ高度、抱負ト斯クニテ高メシレ平和ヲ求メトスル希望ハ輒近全ク地ニ墜ケテ不幸ナル不安ガ吾人、腦裏ヲ去来スル。

現在、恐怖ト國際的無秩序、時代ハ数々年迄ニ開始シタ。其レ他國家、内事ニ不正ニ容喙シ、又ハ條約ヲ犯シテ外國、領土ニ侵入セルコトニ起因シタ。而シテ今ヤシガ文明、真ノ根柢スラモ脅カヌ処、段階ニ到達シタ。

法律、秩序及正義、狀態ヲ指向スル文明、進歩ヲ指示シタル歴史上、顯著ナル事實及伝統スラモ現在拂拭セラレツアル。

無宣戰又ハ何ヲ、警告告戒ハ辯明無シセザル子ヲ令シテ非戰闘具ハ空中ヲウラ、爆彈ヨリ無情ニモ殺戮セラレタル所謂平和時ニ船舶ガ無原因又ハ無警告ニ潜水艦ニ攻撃セラレ且ツ撃沈セラレタル。

國家ガ何ヲ、損害ヲリシ他國家、内亂ヲ挑發シ援助シタル。

自國ニ自由ヲ求メタル國家ハ之ヲ他國ニ否認ス。

罪ヲキ國民ト國家ハ残酷ニモ正義及人情、凡テ、觀念ヲ缺ク權カト霸權、貪慾ニ犠牲トナリツタル。

最近、或著者者、言ヲ解釋スルニ一即チ人間ガ殺ハト謂フ技術ヲ得意トシテ凡テ、貴重品ガ危險ニ

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曝セル位、世界中ヲ劇シ多暴シ廻ル時代ガ到来スルデモ、
書籍・繪畫・對觀書。二千年間モ蓄藏シタ凡テ、實物・些細
タル事物。優美タル事物・無防備ナ事物等——凡テ、モガ失ハ或
破滅セシ或ハ徹底的ニ破壊セルデアラウト

若シ其等ノ事物ガ存界、他、部分ニ發生スルトモ、亞米利加ハ神、
慈悲ヲ期待シテ逃避シ又、此、西半球ハ攻撃サレヌデモ、而シテ亞
米利加ハ文明、倫理ト技術ヲ靜養ニ且ツ平和ニ當ルデアラウト等ト
夢思考スル勿シ。

若シ其、時代ガ到来スルトモ、武力ニ依ル安全性・権力ヨリ、非途
科学・應酬等モ皆無トナリ。此、國ハ文化、凡テ、精華ヲ蹂躪シ
全人類ヲ巨大ナル渾沌、中ニ平等ナラシムル迄暴レ廻ルデアラウト。

若シ其、時代ガ到来セストシ——即ケ吾人ガ自由ニ棲息シ恐怖
無ク親睦ニ生活シ得ル在界ヲ所有スルトモ、平和ヲ愛好セル國家、
平和ガソレニヨリ安全ナル法律ト道義ヲ擁護スベク協力セネ
バ。平和ヲ愛好セル國家ハ今日單ニ孤立乃至中ニ、理由
ニ因リ逃シ得ズ國際的無政府狀態ト不安ヲ創造シツル
條約、違反及々人類本能、無視ニ抗シテ協力セネバ。自由ヲ
愛好シ且ツ自由ニ平和ニ生活スベク隣國、平等權ヲ承認シ尊重
スル者ハ在界ニ平和・正義並ニ信用ガ普及スル程、法律及道義
的原理、勝利、為ニ協力セネバ。又

署名セラル條約、眞価ニ於テ誓約ヲタル文字、信條ニ對テ
ハ返報ガ無キベシ。

國家的道義ハ個人的道義ト全ク同様ナル重要性アルト謂フ
事實、認定ガ無キベシ。

一びしよふ監督ガ四目ヲ二ツ、如キ書面ヲ寄セリ。——即チ
私ハ頼リ無イ非戰鬥員特ニ婦女子ニ戰、恐怖ヲ及ボス如ク現

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在、習慣ニ抗シテ通常的人道、為ニ申スベキ必要アル重大ナル何物
 ナル保ニ思考サレ。斯、如キ抗議、實在論者ナリト自稱スル多
 一者カラハ無益ナリト思考サレカモ知ラヌ。然レ人類、心、現在ノ不
 要ナ苦痛ニ依ッテ非常ニ恐怖デ充満シテ居ルカラ將來其ノ残心
 ヲ輕減スルニ足ル充分な兵カラ動員シ得ルカモ知レヌ。萬一ヨシ文明ガ
 斯ル變行ニ抗シ其、協同的抗議ヲ効カラシムベク二十年、長年
 月ニシテ神ガ許サヌガ必要トスルモ必ズ強カナル意見ガ其ノ日、来
 ルヲ促進スルデアラウト。

現今世界ニ技術上又ハ道德上共ニ共同責任ト相互依存トカ
 存在ス。而シテ此、兩者ガ如何ナル國家ト雖モ、世界、他國ニ於テ
 經濟的並ニ政治的動亂カラ完全ニ隔離スルトウ不可能ナリト。
 特ニ斯ル動亂ガ蔓延シ且ツ終息、徴ガ無キ時ハ然リテアル。
 法律並ニ道德的準據ガ凡テ、國家ニ固守セテアル狀態以外ニ
 ハ如何ナル安定モ平和モ國內乃至國家間ニ存在シ得ズ國際的
 無政府狀態ハ平和ニ對スル凡テ、基礎ヲ破壊ス。

其六、大ニ何レ、國家、真接乃至將來、安全ヲ危殆ニ
 シ。セバ國際條約、神聖並ニ國際的道義維持、回復
 ハ要利加合衆國々民、重大ナル利害ト實ニ事デアル。

今日、世界、絶對多數ノ國民並ニ國家ハ平和ニ生キト希
 求ス。彼等ハ貿易、障壁ヲ除去セト希望ス。

彼等ハ人命ト有益ナル財産ヲ破壊セガ為軍用航空機
 爆彈、機關銃及大砲等ヲ懸命ニ製造セトスルヨリ寧ロ富、
 生産物ヲ製造シテ富賤ヲ増大セトシテ工業、農業、又ハ商
 業ニ投身セト希望ス。

侵略、為ニ世界、其等、國々ニ於テハ武器、上ニ武器ガ積ミ重ナ
 リ、又其、侵略行為ヲ防止シ及自己、保全ヲ恐レル他、國家ハ

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國家收入、大部分ヲ直接ニ武器、為ニ消費シタル。其ハ國家收入、三割ヨリ五割、高度迄ニ達シテキル。

我々東洋利加合衆國が消費スル割合ハ一・一割乃至一・二割ヨリ遙クニ下廻ツテキル

現下、境遇が吾人ニ巨大ナル常備軍並ニ莫大ナル武器、補給ニ金錢ヲ注入スルヨリ寧ロ橋梁・幹線街路・堰堤・植林・國工・保全及其他、有益ナル工事ニ金錢ヲ注入スル事ヲ許ストハ吾人ハ何タル果報者ッ！

今ヤ予而シテ諸君モ亦前視セルベカラズ。

世界人口、九割迄、平和・自由及安全ハ殘部ヲ割、為ニ危殆ニ瀕シツツアル。此、人々ハ凡テ、國際的秩序及法律ヲ崩壞セトシテ脅威シタル。

確カニ法律ノ下ニ平和ニ生活シ且ツ數百年モ殆ニト一般の受細ヲ享受シテ道德的基準ニ順應セト欲スル九割、今令自己ノ意志ヲ廣ク行フ何カノ方法ヲ發見シ得又發見セザラズ。

現勢ハ明確ニ弘ク世ノ関心事デキル。

關係セル問題ハ特定條約、特殊條項、單ナル違反及關スルモノデ無ク。

其ハ戰爭・平和・國際法・而シテ人道ノ原則ニ係ル問題デキル。

其ノ問題ハ條約特ニ國際聯盟規約・ブリーテン・ケロウグ條約及九箇國條約、明確ナル違反等ヲ包含スト謂フコトハ事實デキル。

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然し其等亦世界、經濟、保全及人道、諸問題ヲ包含スル
世人、道德的良心ハ不正ト根據、アル苦痛ヲ除スル、重要性。

認識セオハ又ト謂フコトハ事實デアル。

然レテ同時ニ道德的良心ガ條約、神聖ヲ保持シ他國、權利及自由
ヲ尊重シ而シテ國際的侵略行為ニ終止符ヲ打ツ基本的必要性ニ
對シテ喚起セシメナラス。

今ヤ世界の無秩序、重症ガ蔓延シツル事、不幸ニモ事實デ
アル様ニ思ハル。

身体的病症、重症ガ蔓延シ始ル時ニ公眾ハ該病、蔓延ニ對
シテ公眾、健康ヲ保護セシガ為患者、隔離ヲ承認シ且ツ参加
スル。

予、決意トシテハ戰爭ヘ参加ヲ防止セガ為平和的政策ヲ追
求シ且ツ凡ニ實際的手段ヲ採用スルトデアル。此、現代ニ而モ經
験ニ不拘如何ナル國家ト雖モ嚴肅ナル條約ヲ記シテ他國ニ何ラ
実害無キ而モ弱カナル為メ適當護身不能ナル他國、領土ヲ侵
略シ且ツ侵害シテ全世界ヲ戰爭ニ陥レル危險ヲ冒ス極愚ニ行
ハタルモノハアリ得ナシト謂フコトハ當然信得可カラズ事デアル。

然レトモ今ヤ世界、平和ト各國、安寧及安金ハ斯、如キ實在
ニ依テ脅威サレツツアル。

如何ナル國家ト雖モ他國、權利行使ヲ拒否シ且ツ自由ト權利
ヲ尊敬スルモノハ永續シテ強大デナリ又他國、信用ト尊敬トヲ保持
スルトハ出来ヌ。

如何ナル國家ト雖モ他國家、權利ヲ考慮シテ不和ヲ調停シ
且ツ強大ナル兇術ヲ行使シテ威嚴ト立派ト地位ヲ失墜スルモノ無キ。
戰爭ハソレガ宣言サレマツガサレマツガ一種、傳染物デアル。

其レハ戰鬥、根源地ヨリ遠隔、國家及國民迄蔓延シテ

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出来ル。

吾人ハ戦争ヨリ離レト決意ス。然レドモ尚 吾人ハ戦争、残忍ナル結果ト纏絡、危険ニ抗シテ保証スルコトハ出来ヌ。吾人ハ今吾人、危殆ニテハ危険ヲ極ツナシムル端ナ手段ヲ採用シツマス。

然レ吾人ハ信用ト安全ガ破壊サレテ秩序ヲ世界ニ於テハ完全ル保護ヲ求ムコトハ出来ヌ。若シ文明ガ残存スベクナルバキリスト、主義ガ復興サレネバナラヌ。

國家間、傷ツイク信頼ハ回復サレネバナラヌ。

凡テノ中最モ重要ナル事——即チ

平和ヲ愛好スル國家側ニ於ケル平和ヲ希求セトスル決意ハ終局ニ於テ彼等、條約ヤ他國ノ有スル權利ヲ犯サントスル國々ニ左標ノ事項ヲ思止ミラセシメ現ハス可キ事ナル。

平和維持、為積極的ニ努力スベキ事ナル。

亞米利加ハ戦争ヲ嫌惡ス。

亞米利加ハ平和ヲ愛好ス。

サレバ亞米利加ハ積極的ニ平和探求ニ努力スル。

外國關係 I . 三八。——三八三頁

(冒頭 三十九頁)

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Doc. No. 219P(3rd)

Br. Ex. 5th

FIRST REPORT ADOPTED BY THE LEAGUE OF NATIONS
ASSEMBLY ON OCTOBER 6, 1937

Excerpt.

.

It cannot, however, be challenged that powerful Japanese armies have invaded Chinese territory and are in military control of large areas, including Peking itself; that the Japanese Government has taken naval measures to close the coast of China to Chinese shipping; and that Japanese aircraft are carrying out bombardments over widely separated regions of the country.

After examination of the facts laid before it, the Committee is bound to take the view that the military operations carried on by Japan against China by land, sea and air are out of all proportion to the incident that occasioned the conflict; that such action cannot possibly facilitate or promote the friendly cooperation between the two nations that Japanese statesmen have affirmed to be the aim of their policy; that it can be justified neither on the basis of existing legal instruments nor on that of the right of self-defense, and that it is in contravention of Japan's obligations under the Nine-Power Treaty of February 6th, 1922, and under the Pact of Paris of August 27th, 1928.

Foreign Relations I, p. 384 at
pp. 393-394.

一九三七年十月六日 國際聯盟總會ニ依リ採擇セラレタ
ル第一報告

校 萃

Ex 962
219 p (38)

然レ乍ラ次ノ事實ハ否定サシ得ナイ。即チ有力ナル日本軍ガ支
那領土ニ侵入シ北平日身ヲ含ム大ナ地域ヲ軍事制禦下
ニ置イタルト云フ事。又日本政府ハ支那ノ海運ニ對シ支那
海岸ヲ封鎖スル為ニ海軍力ヲ使用シタト云フ事。而シテ又日本軍
航空機ガ支那ノ遠ク隔絶サシ居ル諸地域ニ追爆撃ヲ實施シ
タルト云フ事ナル。總會ニ提起サレタ諸事實ノ檢討後ニ委員
會ハ次ノ如キ見解ヲトルノ余儀ナキニ至ツタ。即チ陸、海、空ヨリス
ル支那ニ對シテ日本ヨリ實行セラレタ軍事行動ハ紛爭ヲ捲
起シタ謂フ所ノ事實ニ對シテハ全ク釣金ハタイ大ナガカリナモ、
テアル事。又斯カル行動ハ日本ノ政治家ガ彼等ノ政策ノ目的ヲ
アルト確言シタ所ノ兩國家間ノ友誼的協力ヲ容易ニスルコト
モ或ハ増進スルコトモ出来ナイト云フ事。カル行動ハ又現存
ノ法的文書或ハ自衛權ニ基礎求メテ合理ツク得ナイト云フ
事。而シテソレハ一九二三年二月六日ノ九箇國條約並ニ一九二
六年八月二十七日ノパリ協約ニヨリ日本ノ義務ニ違背シタルト
云フ事ナル。

外國關係第一冊 三八四頁

三九三—四頁

Doc. No. 219P (39)

Br. Ex. 59

PRESS RELEASE ISSUED BY THE DEPARTMENT
OF STATE ON OCTOBER 6, 1937

(The following excerpt)

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9
In the light of the unfolding developments in the Far East, the Government of the United States has been forced to the conclusion that the action of Japan in China is inconsistent with the principles which should govern the relationships between nations and is contrary to the provisions of the Nine Power Treaty of February 6, 1922, regarding principles and policies to be followed in matters concerning China, and to those of the Kellogg-Briand Pact of August 27, 1928. Thus the conclusions of this Government with respect to the foregoing are in general accord with those of the Assembly of the League of Nations.

Foreign Relations I, p. 396 a 397

一九三七年十月六日、外務省ニヨツテ發セラシタ新聞發表

(以下抜萃)

Ex. 963, 219P(39)

極東ニ於テ引續キ南サシツ、アル事態ニ鑑ミテ、合衆國政
府迄、如キ結論ニ達セザルヲ得ナシタ。即チ支那ニ於ケル日本ノ行
動諸君家同ノ公文ヲ律スル原則ニ矛盾スルモノアリ、又支那ニ
關スル事項ニ就テ準據セラルベキ諸原則及方針ニ關スル
一九三三年二月六日、九ヶ條約ノ條項及一九三八年八月二十七日、
ケルソグリアン / Kellogg - Briand / 條約ノ規定ニ違反
スルモノアリ。

カクノ如クニ、前記ノ事ニ關シ、我政府ノ結論ニ大體ニ於テ、實際
聯盟國會議ノ結論ニ致スルモノアリ。

外交關係サニ冊

三九六—三九七頁

Doc. No. 219P (40)

Br. Ex. 63

TELEGRAM
THE COMMANDER IN CHIEF OF THE UNITED STATES
ASIANIC FLEET (YARNELL) TO THE SECRETARY OF
THE NAVY (SWANSON)

December 23, 1937
(Received 10:50 a.m.)

0023. The following is the opinion of the Court of Inquiry ordered to investigate the bombing and sinking of the U. S. S. Panay. The opinion is approved.

Opinion was that the U.S.S. Panay was engaged in carrying out the well-established policy of the United States of protecting American lives and property.

2. That the Japanese aviators should have been familiar with the characteristics and distinguishing markings of the Panay as this ship was present at Nanking during the Japanese aerial attacks on this city.

3. That, while the first bombers might not have been able on account of their attitude to identify the U.S.S. Panay, there was no excuse for attacking without properly identifying the target, especially as it was well known that neutral vessels were present in the Yangtze River.

4. That it was utterly inconceivable that the six light bombing planes coming within about six hundred feet of the ships and attacking for over a period of twenty-minutes could not be aware of the identity of the ships they were attacking.

5. That the Japanese are solely and wholly responsible for all losses which have occurred as the result of this attack.

6. That the death of C. L. Ensminger, sk first and E.W.G. Hulsebus, coxswain occurred in line of duty and were not the result of their own misconduct.

7. That the injured and wounded members of the crew of the U. S. S. Panay received their wounds and injuries in the line of duty and were not the result of their own misconduct.

8. In considering the case as a whole and attending incidents that the court is of the opinion that no offenses have been committed nor blame incurred by any member of the naval service involved. 1735

Foreign Relations I, pp. 546-547

Eu 964
Doc 219 P (40)

合衆國亞細亞艦隊司令長官(ヤーネル) / KARNELL / 三海
軍大臣(スワンソン) / SWANSON / 宛電報

一九三七年十二月二十三日午前十時三十分受信

〇〇二三時以下、米合衆國軍艦パナイ / USS PANAY / 號、
爆撃及撃沈、調査ヲ命ぜらるる査問會議、意見あり。
此、意見、承認せしむり。

該意見ハた、如く

- 一、米 合衆國軍艦パナイ / USS PANAY / 號、米國人、生命、
財産ヲ保護スル為メ確立せらるる米合衆國、政策、
遂行ニ従事ス居たり。
- 二、パナイ號、日本飛行隊、南京空襲、當時南京旋
泊ス居リ、故日本飛行隊、パナイ號、特徴及顯著
ナル目標、熟知ス居タル筈ナリ。
- 三、最初、爆撃者ハ其姿勢、為メニ 米合衆國軍艦パ
ナイ號ヲ確認ニ得ずリシヤモ計ラザルモ目標ヲミテ
見極メ、攻撃スルコトニ就キテハ辯解、許サレズ。
殊ニ中立國艦船ハ揚子江ニ所在スルコトヲ熟知セリ於テ
ナヤ。
- 四、六燈ヲ具フル爆撃機が艦ヨリ六百メートル以内ニ至リ、十分間
以上攻撃ス、ソノ彼等、攻撃スルアリシ艦船、正体ヲ
気付キ得カリシコト、全ク考ヘ得ザルトモナリ。
- 五、此攻撃、結果生ズル損失ニ對シテ、日本人、ミカ
全面的ニ責任ヲ負フベキナリ。
- 六、エー・エル・エス・ミカ / C. L. ENSMINGER / 海軍副官
理主佐及イー・ダブリュー・ハル / E. W. G. HULSEBUS

1401

Doc 219P (40)

No 2.

艦長、死亡、軍務、範圍内ニテ起生シ彼等自身、過失ニ由來セルモノニアラズ

七、米合衆國軍艦ハナイ / USS. PANA / 疏業組員、負傷者ハ其軍務ニ從事中負傷ミタルモノニシテ彼等自身、過失ニ基キ負傷ミタルモノニアラズ。

八、事件ヲ全體トシテ又附隨、去來事ヲ考察シテ査問會議、海軍、各員ハ如何ナル犯罪モ犯サズ如何ナル非難ヲ蒙ラサルベシト、意見ナリ。 一七三五

外交関係 I

五四六—五四七頁

Ex. # 965

Doc. No. 219P (17)

BR. EX. 36

THE AMERICAN EMBASSY IN JAPAN TO THE JAPANESE
MINISTRY FOR FOREIGN AFFAIRS

INFORMAL MEMORANDUM

Excerpt.

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The plans under discussion are, it appears, plans to monopolize the distribution of oil and in part at least the importation, processing and exportation of oil in Manchuria. The American Government cannot escape the conclusion that the effectuation of such plans would result in the setting up of a monopoly control of the oil industry in Manchuria. The development of a monopoly control in any field would be a matter prejudicial to the treaty rights of American nationals and would run counter to the principle of the open door.

These plans however are apparently being formulated with the concurrence and cooperation of Japanese nationals, the participation of such quasi-official organizations as the South Manchuria Railway and the assent or approval of the Japanese Government.

In approaching the Japanese Government on this subject the American Government has had in mind developments of the past three years in relations between Japan and Manchuria and has given thought to treaties to which Japan and the United States are parties and to various declarations in which the Japanese Government has given assurances that there will be maintained in Manchuria the principle of the open door. This Government has of course assumed and continues to assume that the Japanese Government wishes to implement its undertakings.

.

Tokyo, August 31, 1934.

Foreign Relations I, pp. 133-13

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Box 36

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在日米國大使館發日本外務省宛書簡

非公式覺書

敘 章

防護サレテ居ル計畫トハ滿洲ニ於ケル石油ノ配給、少クトモ石油ノ輸入、製造過程及輸出ヲ幾分獨占スル計畫デアル様ニ見ウケラレル。

アメリカ政府ハ此ノ如キ計畫ノ遂行ハ滿洲ニ於ケル石油産業ノ獨占的支配ノ設定ヲモタラスモノデアルトノ結論ニ到達セザルヲ得ナイ。

如何ナル分野ニ於テモ獨占的支配ノ進展ハアメリカ人ノ條約上ノ權利ヲ阻害シ又門戶開放ノ原則ニ悖ル事トナル。

併シ乍ラ是等ノ案ハ明ラカニ日本人ノ参加及協力無滿洲鐵道ノ如キ半官的機關ノ参加及日本政府ノ同意或ハ承認ノ下ニ作製サレテ居ルモノデアル。

此ノ問題ニ關シ日本政府ニ交渉スルニ當リアメリカ政府ハ過去三年間ノ日滿關係ノ進展ヲ考慮シ日本及合衆國ガ加盟セル條約及日本政府ガ滿洲ニハ門戶開放ノ原則ガ保持サレルト保證シタ種々ノ宣言ヲ想起セリ

我が政府ハ勿論日本政府ハ其ノ保證ヲ実行スルコ

219P(17)-2

トラ望ムモノト思ヒ、又今後ニカク思フモノデアル。

東京

一九三四年八月三十一日

外國關係書類第一冊

一三三頁—一三四頁

Doc. No. 219P (21)

Br. Ex. 40

MEMORANDUM BY THE SECRETARY OF STATE

(WASHINGTON), January 5, 1933.

Excerpt.

.....

He said that in any event Japan had no territorial ambition south of the Great Wall. I reminded the Ambassador that a year ago he had told me Japan had no territorial ambitions in Manchuria.

.....

H(ENRY) L. S(TIMSON)

Foreign Relations I, p. 107

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國務長官 電書

(シムソン) / Washington /
一九三三年 昭和八年 一月五日

板華

彼、日本、如何ナル場合ニ長城以南ニ領土の野心ヲ有スト言フ。私、大使ニ討テ、彼が一年前私ニ日本、滿州ニ領土の野心ヲ有スト言フ事ヲ指摘ス。

<(シムソン)・J K(45:1)>
/H(ENRY)L. S(TIMSON)/

外交關係 I. 10. 大夏

ADDRESS DELIVERED BY THE SECRETARY OF STATE
ON "OUR FOREIGN POLICY" AT WASHINGTON ON
MARCH 17, 1938

Excerpts.

.....

During the early months of the conflict in the Far East I appealed on several occasions, in the name of our Government, to both Japan and China to desist from using armed force and to resort to the well-recognized processes of peaceful settlement for the adjustment of whatever differences existed between them. I said that we would be glad to be of assistance toward facilitating, in any manner that might be practicable and mutually agreeable, resort by them to such processes.

On August 17, and with frequent reiteration thereafter, I stated that we did not intend to abandon our nationals and our interests in China.

From time immemorial it has been the practice of civilized nations to afford protection, by appropriate means and under the rule of reason, to their nationals and their rights and interests abroad. This policy has been pursued by the Government of the United States throughout the existence of our country.

.....

Likewise dangerous, from the viewpoint of the preservation of peace, is the proposal that we retire from the Far East, comprising the chief portion of the Pacific area. Unfortunately, many people in this country have wholly misunderstood the position and policy of our Government in relation to that situation. Some have visualized only our trade and investment relationships with China, or our moral and cultural interests there, symbolized by missionary, educational, medical, and similar activities. Some have concentrated their attention solely upon the incidental and exceptional facts of the existence of extraterritoriality and the maintenance of some armed forces to assist in safeguarding our nationals against possible mob violence and similar disorders--special rights which it is our policy to give up and forces which it is our policy to withdraw the moment the unusual conditions disappear.

All these are important. But the interest and concern of the United States--whether in the Far East, in any other part of the Pacific area, in Europe, or anywhere else in the world--are not measured alone by the number of American citizens residing in a particular country, or by the volume of investment and trade, or by exceptional conditions peculiar to the particular area. There is a much broader

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and more fundamental interest--which is, that orderly processes in international relationships based on the principles to which I have referred be maintained.

As I have already indicated, what is most of all at stake today, throughout the world, is the future of the fundamental principles which must be the foundation of international order as opposed to international anarchy. If we and others were to abandon and surrender these principles in regard to the Pacific area, which is almost one-half of the world, we would have to reconcile ourselves to their certain abandonment and surrender in regard to the other half of the world.

It would be absurd and futile for us to proclaim that we stand for international law, for the sanctity of treaty obligations, for nonintervention in internal affairs of other countries, for equality of industrial and commercial rights and opportunities, for limitation and reduction of armaments--but only in one-half of the world, and among one-half of the world's population. The catastrophic developments of recent years, the startling events of the past weeks, offer a tragic demonstration of how quickly the contagious scourge of treaty breaking and armed violence spreads from one region to another.

.

The momentous question--let me repeat--in whether the doctrine of force shall become enthroned once more and bring in its wake, inexorably, international anarchy and a relapse into barbarism; or whether this and other peaceful nations, fervently attached to the principles which underlie international order, shall work unceasingly--singly or in cooperation with each other, as circumstances, their traditional policies and practices, and their enlightened self-interest may dictate--to promote and preserve law, order, morality, and justice as the unshakeable bases of civilized international relations.

.

We want to live in a world which is at peace; in which the forces of militarism, of territorial aggression, and of international anarchy in general will become utterly odious, revolting, and intolerable to the conscience of mankind; in which the doctrine of order under law will be firmly established; in which there will no longer be one code of morality, honor, justice, and fair play for the individual in his relations with other individuals, and an entirely different code for governments and nations in their relations with each other. We want to live in a world in which fruitful and constructive international relationships can serve as a medium for disseminating throughout the world the benefits of the material, spiritual, and moral progress of mankind.

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To that end we will continue to give full and sincere adherence to the fundamental principles which underlie international order; we will continue to urge universal acceptance and observance of these principles; we will continue, wherever necessary and in every practicable and peaceful way, to cooperate with other nations which are actuated by the same desires and are pursuing the same objectives; we will persevere in appropriate efforts to safeguard our legitimate rights and interests in every part of the world; and we will, while scrupulously respecting the rights of others, insist on their respecting our rights.

To that end we will continue to strive, through our reciprocal trade program and through other economic policies, to restore the normal processes and to expand the volume of mutually beneficial trade among the nations, which is indispensable to an increase of production, employment, purchasing power, and general economic well-being here and everywhere; we will continue to promote peace through economic security and prosperity; we will continue to participate in the numerous international scientific, technical, and other conferences and collaborative efforts, which have been such powerful influences in assisting the stream of new ideas, of new discoveries, of learning and culture, to flow throughout the world; and we will continue to urge other nations to give their support to such policies and efforts.

We believe that a world at peace, with law and justice prevailing, is possible, and that it can be achieved by methods to some of which I have referred. That is the cornerstone of our foreign policy--a policy graphically described by President Roosevelt when he said:

"There must be positive endeavors to preserve peace. America hates war. America hopes for peace. Therefore, America actively engages in the search for peace."

The objectives of our foreign policy are as easy to grasp as they are fundamental. The means we are using to attain these objectives are the only means approved by reason and by experience. For the sake of the best interests of our people, we must maintain our strength, our courage, our moral standards, our influence in world affairs, and our participation in efforts toward world progress and peace. Only by making our reasonable contribution to a firm establishment of a world order based on law can we keep the problem of our own security in true perspective and thus discharge our responsibility to ourselves--to America of today and to America of tomorrow. No other course would be worthy of our past or of the potentialities of this great democracy of which we are all citizens and in whose affairs we all participate.

Foreign Relations I, p. 452 at
pp. 455, 460-463.

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二九P(四二)

一九三八年(昭和十三年)三月十七日ワシントンに於て「吾が對外政策」

ニ関シテ行ヘル國務長官ノ演説

抄録

極東ニ於ル紛争ノ當初數ヶ月余ニ亙リ我政府、名ニ於テ日支双方ニ對シ武力行使ヲ中止シ且又双方間ニ存在スル切ノ摩擦ヲ調整セシメ和平的解決ノ常道の過程ヲ取リテトヲ要望セリ。

余ハ實行可能ニシテ且相互ニ合意可能ナル何處カノ方法ヨリ彼等が斯ナル過程ヲ取ル事ヲ容易トラシムル爲ニ援助スルハ吾々ノ欣幸トスル日ヲ語リタリ。

八月十七日及ニ其後屢々繰返シテ余ハ吾々ノ中華民國ニ於ル吾ガ同胞並ニ吾ガ權益ヲ抛棄スル意圖無キ日ヲ述ベタリ。

吾等適正ナル手段ニ依リ且理性ノ法則ヲ在外同胞並ニ權益ヲ擁護スルハ文明國民ノ慣行ニ屬ス。該政策ハ吾國建國以來常ニ合衆國政府ヨリ遂行セシメリタルモノナリ。

平和維持ノ觀點ヨリ吾々が太平洋區域ノ主要部分ヲ占メ極東ヨリ後退スベシト提案ハ同様ニ危險ナリ。不幸ニシテ多數吾ガ民ハ該事態ニ對スル我政府ノ立場ト政策トヲ全ク誤解シ居リ。

或者ハ中華民國ト我貿易及ニ投資關係或ハ宗教傳道ニ教育ニ醫療ニ及ニ類似諸活動ヨリ象徴セラル該地域ノ道義的

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及文化的諸要素、ミヲ心中ニ描キ居タリ。或者八軍ニ治外法權存在、隨
伴的例外的諸事實並ニ起リ得ベキ暴動及類似、無秩序ヨリ吾ガ
同胞ヲ保護スルコトニ便スル為メ、若干武裝軍隊ノ維持——即チ其ヲ
拋棄スルヲ以テ吾ガ政策セリ特殊權利並ニ非常ニ態消滅、曉撤ス
ルヲ以テ吾ガ政策セリ軍隊——對シテノ「懲罰」注意ヲ向テ居ル所ナリ。
是等八總テ重要ナリ。然レドモ合衆國ノ関心ハ——其ノ極東ニ於テ
ルト太平洋地域、他ノ如何ナル部分ニ於ケルモ、ヨーロッパニ於ケルモ或ハ世
界、他ノ如何ナル部分ニ於ケルモノタルヲ問ハズ——軍ニ特定ノ或ハ國ニ居
住スルアメリカ市民ノ數ニヨリ、或ハ投資ト貿易トノ量ヨリ、或ハ此特定
地域ニ特有ナル例外的狀態ニヨリ——ミ計量セルモノニアラズ、更ニ廣汎
且一層根本的ナル関心ヲ有アリ。——即チ余ガ今言及セル所則チ其國際関
係上ノ秩序アル處理過程ヲ維持スベトイフナリ。

余ガ既ニ指不セシ如ク。今自世界ヲ通シ最大ノ危險ニ曝露セシ居ルモ、
ハ國際的無政府狀態ニ對スル實際秩序ノ基礎タルベキ根本原則ノ將來
ナリ。假リニ我國並ニ他ノ諸國ガ殆ト世界ノ半分ヲ占ムル太平洋地域ニ此等
原則ヲ拋棄スルトスレバ吾人ハ世界ノ他ノ半分ニ關シテモ其等原則ノ必要の拋棄
ヲ甘受スルコトナレバシ

國際法、條約上ノ義務、神聖他國ノ内治ニ對スル不干渉、產業上及ヒ商業上
ノ權利並ニ機會、平等、軍備ノ制限ト縮少——但シ世界ノ三分一、部分世界
人口ノ二分一ノニ對スル——ヲ我國ガ支持スルヲ聲明スルハ無稽ニシ且無益
ナルコトナレバシ。近年發生セル悲慘ナル幾多ノ出来事、此數週間、驚愕ス
キ種々ノ事件是等ハ高速ヲ以テ條約違反及ヒ武力ニヨリ暴行ノ蔓
延的慘禍カ一地域ヨリ他地域ニ擴大セツ、アルカノ悲慘的表現ヲナス
モノナリ。

No. 2

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重大問題ハ——余ヲミテ繰返サシムコト——武力主義が再び支配
ス所ナリ。延テ之が谷敢ナク實際的無政府状態及野蠻行為ノ墮
落ヲ招来スル事トルカ或ハ熱意ヲ以テ實際秩序ノ基礎ヲスル原則ヲ奉テ居
ル各が及ビ他ノ平和愛好諸國ガ——諸種情勢彼等傳統的政策
及慣行、高向ナル自利ガ命ナル所ニ從ヒ單獨或ハ互ニ協力シ——
文明的國際關係ノ基ヲ其基礎トシテ、法秩序、道義及正義ヲ高
揚シ且ツ之ヲ維持セシトニ不斷ノ努力ヲ傾ケルカ否カニ存ス。

吾人ノ平和ノ世界ニ生活セシトウ欲ス。即チ軍國主義、領土侵略、一般の無
政府状態、勢力ガ人類ノ良心ニトシテ直ニ増ハク、忍ムベク、許容シ得
ベカラズトナル世界。法ニ從フ秩序、原則ガ強國ニ付違フナル世界。之
早ヤ一個人ガ他ノ個人ニ對スル復シノ關係ニ於ケル此個人ニ對スル道義、
名譽、正義及ヒエアープレヲ律スル法典ハ存在セズニ。各政府及各國家
相互間ノ諸關係ニ於テ復シヲ律スル全然異ナル法典ガ存在スル平和ノ世界
ニ生活セシ事ヲ欲スルモナリ。吾人ノ懷キ多ク建設的ナル實際關係ガ人
類ノ物質的、精神的、道德的進歩ノ思慮ヲ世界ニ傳播スル手段トシテ復
ニ此世界ニ生活セシトウ欲スルナリ。

此目的、為ニ吾人ノ國際秩序ノ根底ヲスル基本原則ニ對シテ全的且真
執ナル遵守ヲ續行セシト欲ス。吾人ノ此原則ノ普遍的承認及遵守ヲ更ニ
ニ主張セシト欲ス。吾人ノ必要場合何時ニモ凡ソ其實行可能ナル平和的手段
ヲ以テ同一希望ニ依テ行動シ同一目的ヲ追求シツアル他、諸國家ト協力
セシト欲スルモナリ。吾人ノ世界ノ凡ソル部分ニ於テ我等ノ正當ナル權益ヲ
保護セシガ爲適當ナル努力ヲ挽キ續ケシト欲ス。吾人ノ同利ニ注
意コトシテ他家ノ權利ヲ尊重スルニテ他家ガ吾人ノ權利ヲ尊重ス

此トヲ主張スルモノナリ

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此目的、爲ニ吾人ハ我互恵貿易計畫ヨリ又他ノ經濟政策ニ依リ
正常過程ヲ回復シ且以欲ムルニ他、吾々ニ於テ生産度生産備、購
買力及一般經濟的厚生を、増進シ不可成ル諸家間ノ互恵的
ナル貿易規模ヲ擴大スルニ努力ヲ繼續セシ。吾人ノ經濟的安全ト
繁栄トヨリ更ニ平和促進ヲ以テストスルナリ。吾人ハ多數ニ際
ニ科學的技術的會議及ニ其他、會議及協調的努力——
夫等ハ世界經濟ヲカ爲ニ種々新觀念、種々新発見學問研究
及ニ文化、潮流ヲ助長スルニ世界風靡スル強大ナル勢力ヲ有シ居ル力
カ——ニ引續キ參加セト欲ス。而シテ吾人ハ他、諸家ニ對
ニ彼等が斯ル政策ト努力トヲ支持スルコトヲ希望シ續ク。
吾人ハ法ト正義トが支配スル平和ニ世界ヲ可能ナルコト、並ニ其レハ余
ノ言及セル方法或ルモノヨリ達成シ得ルコトヲ信シ居ルモノナリ。是レ
吾人ノ外交政策ノ礎石トスルニシテローズヴェルト大統領が次ノ言ニ於テ
闡明セル政策ナリ。即チ

「平和維持、爲積極的努力ヲ爲サルベキナリ。」

アメリカハ戦争ヲ嫌ム。アメリカハ平和ヲ要求ス。

故ニアメリカハ力強ク平和ヲ確保ニ從フナリ。

ト述ビ居リ。

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吾人對外交政策ノ目的、其レが根本的ナルト共ニ之ヲ把握スルコト容易
ナリ。吾人ハ該目的ヲ達成セカ爲用ニソフル手段ハ理性ト經驗トニ
ヨリ承認サレル唯一ノ手段ナリ。我々良最善、利益爲吾人ハ我々
ノ力ヲ、勇氣ヲ、道德水準ヲ、世界種々問題ニ関シ我々ノ勢力
ヲ世界進運ト平和對ニ努力ハ我々、參加ヲ維持セサルベキナリ。
法ニ基テ世界秩序確立、爲ニ吾人ハ各當ナル貢獻ヲ爲スコトニヨリ
テ、吾人ハ各自ラノ安全ノ問題ニ對シ正シキ見識ヲ得ベキ

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斯多吾人自身——即今日、アメリカト明日、アメリカニ對スル事
仕テ果スコト得ナリ。之以外吾人、歴史或ハ吾人總テ其、市民ニ
シ、シカモ吾人、總テ其ガ當面スル諸問題ニ參加シ居ル是ノ偉大ナル民
主主義者、能力ニ對應シテ各當スル方途ハナシト信ズ。

外交關係第二冊 四五二頁、四五
三頁 四六頁——四六三頁

Document No. 219P (80)
Br. Ex. 114

Page 1.

THE AMERICAN AMBASSADOR IN JAPAN (GREW)
TO THE JAPANESE MINISTER FOR FOREIGN
AFFAIRS (HIROTA)

No. 874

TOKYO, January 31, 1938

(Excerpt)

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The American Government has recently received information from its representatives in China to the effect that a provisional regime in Peiping has caused a revision to be made of Chinese customs rates on certain articles entering into the foreign export and import trade of North China. My Government, regarding the Government of China as the only authority which can legally cause a revision to be made in the Chinese customs tariff, is constrained to invite the attention of the Japanese Government to this arbitrary and illegal assumption of authority by the provisional regime in Peiping and to point out that the action of the provisional regime may have a seriously adverse effect upon the integrity of the Chinese customs, with regard both to administration and to revenues, and that the revision of rates does violence to the principle of a uniform Chinese tariff at all ports.

The Japanese Government shares with the American Government and with other Governments a long established and well recognized interest in the integrity of the Chinese customs administration, and the American Government has expressed its confident belief that the Japanese Government reciprocates the earnest desire of the American Government that the integrity of the Chinese customs be respected. The action of the provisional regime at Peiping in revising rates of duty seriously threatens the integrity of the customs. For the creation and the acts of the provisional regime the Japanese Government has an inescapable responsibility; and when those acts are of a character, as in the case of the revision of the rates of duty, which affect the interests of foreign Governments, it is to the Japanese Government that those Governments must address their representations.

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Foreign Relations I, pp. 738-739

219 P (80) 20968

駐日亞米利加大使(外) / GREEN / ヨリ日本国外務大臣
(廣田)ニ宛テ
八七四号
東京一九三八年(昭和十三年)一月三十一日
拔萃

.....
亞米利加政府ハ支那ニ於ケル其代表ヨリ、北京臨時政權ハ此
支ノ輸入物資ノ或ル品目ニ對シ支那國稅々率ノ改定ヲ行
ヒタルニ目ノ報告ヲ最近入テリ。我政府ハ中國政府ヲ以テ中
國國稅々率改正ヲ合法的ニ行ヒ得ル唯一ノ權威者ナリト思惟
スルヲ以テ北京臨時政權ニ對シ此等ノ專斷ニシテ非合法的越權
行為ニ對シ日本政府、注意ヲ喚起シ臨時政權ノ行為ハ行政
並ニ稅收入ノ二點ニ關シ中國稅關保全ノ上ニ甚大ナル逆效果ヲ
齎スル及ビ該稅率改正ノ總テノ港ニ於ケル支那ノ國稅率均
等ノ原則ヲ犯スルナル旨ヲ指摘スルノ余儀ナキニ至リ。
日本政府ハ亞米利加政府並ニ他國政府ト相並ニテ中國國稅
行政保全ニ永年ノ確立セウシ尤分ニ認識サレタル權益ヲ享有
スルモノナリ。然ラズアメリカ政府ハ中國國稅ノ保全ヲ尊重スベ
トスルアメリカ政府ノ熱心ナル要求ニ對シ日本政府ガ互惠的態度ヲ
採ルベシトノ衷心ヨリスル所信ヲ表明セリ。北京臨時政權國稅々
率改正ニ就テノ行動ハ稅關ノ保全ヲ甚ダシク脅威スルモノナリ。
右臨時政權ノ創設並ニ行為ニ關シハ日本政府ニ於テ免シ難キ
責任アリ。斯如キ行為ガ國稅々率改正ノ場合ノ如ク外國政
府ノ權益ニ影響ヲ及ボスガ如キ性質ヲ有スル時、ハ此等政府
ガ当然夫々ノ抗議申入レヲ迅速スベキ宛先ハ日本政府ナリトス
ルモノナリ。

外國關係 I — 七三八 — 七三九頁

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Page 1

Br. Ex. 80

THE AMERICAN AMBASSADOR IN JAPAN (GREW)
TO THE JAPANESE MINISTER FOR FOREIGN
AFFAIRS (HIROTA)

No. 872.

TOKYO, February 4, 1938.

EXCELLENCY: I have the honor to refer to my note no. 866, of January 17, 1938, and, under instructions from my Government, to inform Your Excellency that numerous complaints are being received by the American Government of the utter disregard shown by Japanese armed forces in China for American property. Among such cases are:

SOOCHOW: According to American missionaries who visited Soochow a number of times between November 21 and December 21, on November 24 they found that property of the Baptist Mission had been broken into and thoroughly looted, and they observed Japanese soldiers looting the ladies' home and school buildings. On the same day these missionaries inspected the American Presbyterian Mission Hospital, saw one building burning, and found that the administration building had been looted. They inspected the Methodist Episcopal Mission Hospital, and found that the lower floor of the doctor's residence had been looted, and saw Japanese soldiers engaged in looting the upper floor. On November 26 they inspected property of the American Church Mission in company with Japanese officers detailed by military headquarters, and they saw three Japanese soldiers on the premises engaged in looting. They inspected Soochow Academy property and found the principal's and treasurer's offices thoroughly looted, and all safes and filing cabinets broken open. They found also that one foreign residence had been thoroughly looted, and that the Church had been broken into and vestments looted or strewn about in great disorder. On December 1 they found Japanese soldiers in the treasurer's office in the Yates Academy, trying to break open the safe. On visiting the office the following day they found that the safe had been broken open. They also saw soldiers loading loot from Baptist residences and school buildings.

According to Bishop Arthur J. Moore, in charge of the missions of the Methodist Episcopal Church, South, in China, who had visited Soochow, where the Mission has large holdings, including Soochow University and Laura Faygood School for Girls, all the buildings had been looted, four buildings had been bombed, and Japanese

were occupying other buildings, using the new chapel of Laura Haygood School for Girls as a stable.

HANGCHOW: Reports from missionaries at Hangchow indicate that on December 26 Japanese soldiers entered three American residences, on which American flags were flying and on which American consular proclamations and notices issued by the Japanese military police had been posted, and stole money, jewelry, and other articles. On December 27 Japanese soldiers again entered the same residences and stole property.

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JOSEPH C. GREW

Foreign Relations I, p. 578

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Doc. 219, p (52)

駐日アメリカ大使(ガル) GREEN 発日本外務大臣(廣田)宛
市に三號 東京 一九三三年 昭和十三年二月四日

閣下余ハ一九三三年一月七日附松翰市ハ六六号ニ言及
シ且ツ警察政府訓令ニ遵ヒ左記御通報申上ケル光榮ヲ有ス

記

アメリカ政府ハ在中華民國日本武裝軍隊ニ依リ米國財産、
完全トシ無視ニ関シ幾多ノ苦情ヲ接受シツアリ、斯ナル事
例中ニハ次ノ如キモノアリ、蘇州一十月十五日ヨリ十月十五日ニ到ル間
數次ニ亘リ蘇州ニ赴キタル米國人宣教師團ノ言ニ依リ十一月
十四日バプティスト傳道館、既ニ在ハ米兵ニ侵入掠奪セラル
ルヲ見且ツ日本軍兵士ガ婦人館及ビ之ニ校舎ニテ掠奪シ
ツアリテ認メタリ、同日之ヲ宣教師團(アメリカバプティス
ト)傳道病院ヲ視察セリ、此建築物棟火災中ナルヲ見且ツ
管理事務所ニハ掠奪ニ會ヒタルヲ見出シタリ、バプティス
トニハ傳道病院ヲ調査セリ、此員住宅階下、既ニ掠奪セラ
レタルヲ知リ且ツ日本軍兵士、階上ニテ掠奪中ナルヲ視タリ、十一月
十六日、同人員、軍司令部ヨリ特使セリタル日本軍將校ト
同道、アメリカ教會傳道團財産ヲ調査シタル際、右構内ニ於
テ三名、日本兵ガ掠奪ヲ働キツアリ見タリ、同人員、蘇州
市視察ヲ視察シ校長及ビ本納係執務所、全ク掠奪セ
ラレ金庫君親家蔵書等ガ悉ク破壊サレ用カレタルヲ見出シタリ、
彼等ハ又外人住宅ニ於テモ完全ニ掠奪セラル、又教會ニ侵入セ
ラテ祭服類モ掠奪セラル、此等ハ極メテ難ニ取散ラサレタルヲ
認メタリ、十五日彼等ハ日本軍兵士ガ「イエソ」学院出張保管
ニテ金庫ヲ破ラントシツアリテ視タリ、翌日右事務室ニ赴キ
タル処右金庫ハ破リ内カタルヲ見出シタリ、彼等ハ又兵士ガ

doc 219P(52)

同ノキリスト住宅及びその校校舎より掠奪品ヲ搬出シツヤル
認メタリ。 駐米開教アグスト・ニコニコに「教會傳道真面目」主筆
スル「サ・ア・ア」時置留 / Bishop ARTHUR J. MOORE /
ニ依リ同人同國所有財産大量ニ存在。 其蘇州ニ其キタル
其蘇州大書、ロー・イグッド / LAURA HAYGOOD / 女子校
モ含ミ、總テ、建築物が掠奪ヤリ、四連建築物、爆撃等
ヤリ、他、建築物、日本兵に占據シ居リ、且、彼等、ロー・イ
グッド / LAURA HAYGOOD / 女子校新禮拝堂ヲ廢合ニ
使用シ居リタリト云フ

杭州—杭州ニ於テ、傳道真面目、報告、示ス所ニ依リ、十二月三
日、日本軍兵士、米國国旗掲揚セリ、且、アメリカ領事布
告及び日本軍兵士、殺シタル生口示現セリ、ア、タ、ルニ元
拘、ハ、ズ、三、軒、米人住宅ニ入リ、金銀、宝石、其、他、物品ヲ奪取
セリ、十二月二十七日、日本軍兵士、再び同住宅ニ侵入、家財ヲ奪
取セリ、

ジョセフ・C・グレン

/ Joseph C. GREW /
外交國務卿、駐米、公使。

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Page 1

Br. Ex. 115

THE AMERICAN EMBASSY IN JAPAN TO THE
JAPANESE MINISTRY FOR FOREIGN AFFAIRS

AIDE-MEMOIRE

Excerpt.

More than three months have elapsed since the occupation of Nanking by Japanese military forces. The areas of hostilities have in that interval moved to substantial distances from that city, and there is at this time no conceivable danger which would of itself make it unwise for Americans to reside there. Notwithstanding these facts the Japanese military authorities continue to impose restrictions which in effect prevent American missionaries and business men, with important interests in Nanking, from returning to that city.

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TOKYO, April 4, 1938.

Foreign Relations I, pp. 761-762

Doc 219P(81)
20970

駐日米大使館發 日本外務省宛
補助覺書

坂 萃一

日本軍ニ依リ南京占領以來、時日、経過スル事
既ニ三月余ナリ。此ノ間、交戦地區ハ同市ヨリ
相當ノ距離ニ移動シ 現在ニ於テハ米人、同市ニ
居住スルヲ賢明ナラズトス。如何ナル危險ヲ考
フル能ハズ、然ルニモ拘グズ。日本軍當局ハ、南
京ニ重大ナル利害關係ヲ有スルアメリカ傳導團
及ビ事業經營者ニ對シ、事實同市復歸ヲ
阻止スル種々ノ制限ヲ續行シツツアリ

東京 一九三八年/昭和十三年/四月四日

外交関係 I 七六一—七六二頁

Ex. #971

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Page 1

Br. Ex. 81

THE AMERICAN EMBASSY IN JAPAN TO THE JAPANESE
MINISTRY FOR FOREIGN AFFAIRS

AIDE-MEMOIRE

The American Embassy had the honor, in its note No. 892 of March 12, 1938, to invite the serious attention of the Ministry of Foreign Affairs to the continued occupation by Japanese forces of certain American mission property in Shanghai. The occupation of American property by Japanese military forces is not confined to the cases cited in that note but is a condition which obtains extensively in areas in Central China under occupation by Japanese military forces. American missionaries have been denied access to mission property and during their enforced absence nearly all buildings have been looted and damaged and some have been destroyed by fire.

American mission property at the following named places is occupied at the present time by Japanese troops: Changshu, Changchow, Chinkiang, Liuho, Nanking, Nansiang, Quinsan, Shanghai, Soochow, Singkiang, Yangchow, and Wusih in the Province of Kiangsu, and Huchow and Kashing in Chekiang Province.

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Tokyo, March 26, 1938.

Foreign Relations I, p. 588.

4971

在日米大使館より日本外務省宛

副覽書

219P (53)

米大使館ハ昭和十三年(一九三八年)三月十三日ノ覽書第八九二
 号ニ於テ在上海ノ某アメリカ布教團ノ資産ノ日本軍隊ニヨリ
 引續キ行ハ居ル占據ニ関シ、外務省ニ深甚ナル注意ヲ喚
 起スルノ光榮ヲ有シタ。日本軍隊ニヨルアメリカ資産ノ占據ハ
 唯ニコニ引用セル覽書ノ場合ノミナラズ日本軍占領下ノ中文
 一帯ニ於ケル廣汎ナル諸地域ニ及ブ状態ナル。幾多アメリカ
 宣教師ハ布教團資産ニ接近スルコトヲ禁ゼラレシ、強制
 立退、同ニ殆ドスベテノ建物ハ掠奪セテ損害ヲ蒙リタ。ソニ
 シノ若干ハ火災ニ燒失セシメラレタ。

下記地域ニ於ケルアメリカ布教團ノ資産ハ現在日本軍隊ニ
 ヲツテ占據セラレアリ。江蘇省ノ常熟、常州、鎮江、劉河、
 南京、南翔、崑山、上海、蘇州、松江、楊州及ヒ無錫、浙江
 省ノ湖州、嘉興。

昭和十三年(一九三八年)三月二十六日 東京ニ於テ

外事關係一、五八八頁